

## APPENDIX XLIV-B.

## PART I.

[See Note below Rule 613 and Note 2 at the commencement of Section VII of Chap. XV, Volume I.]

*Revised leave rules for Permanent and Temporary Salaried Press Employees, etc.*

1. These rules may be called the Revised Leave Rules for Permanent and Temporary Salaried Press Employees.

2. These rules shall apply (with retrospective effect where necessary from the commencement of service counting for leave) to the permanent and temporary salaried industrial employees in Government Presses below the grade of Assistant Manager, who are not classed as "~~inferior~~" and who belong to the classes of persons specified in Rule 2 of the Revised Leave Rules, 1935.

*Note.*—These rules also apply to persons who are borne on the establishment of the Government Photozinc Press and who belong to the categories mentioned in this rule.

3. (i) Earned leave will be admissible to a permanent employee at the rate of 1/11th of the period spent on duty, provided that when the earned leave due amounts to 90 days, he ceases to earn such leave.

(ii) The earned leave of a salaried industrial employee who is not in permanent employ shall be at the rate of 1/22nd of the period spent on duty, provided that when the earned leave due amounts to 30 days, he shall cease to earn such leave. When such an employee is made permanent without interruption of service, duty rendered during the period of continuous service prior to confirmation shall count for leave under sub-rule (i) above, the leave taken on each occasion during that service being deducted from the leave earned in respect of duty rendered prior to such occasion.

4. To the leave due to a permanent employee under the preceding rule, there may be added, subject to the provisions of Rule 5 below, leave on medical certificate up to three months, and a further extension of such leave not exceeding three months may be granted on the production of a fresh medical certificate from such medical authority as Government may by general or special order specify in this behalf.

5. The total amount of leave on medical certificate admissible to a permanent employee during his service shall not exceed twelve months.

6. (1) Extraordinary leave may be granted to a permanent or temporary employee when no other leave is admissible, or when other leave being admissible, the employee applies in writing for this leave.

(2) In the case of a temporary employee the duration of extraordinary leave shall not exceed three months on any one occasion.

7. Any kind of leave under these rules may be granted in combination with, or in continuation of, any other kind of leave.

8. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of the public service.

*Page 286, Appendix XLIV-B.—*

*Substitute* the words “ who are not classed as ‘ Class IV ’ ” *for* the words “ who are not classed as ‘ inferior ’ ” occurring in Rule 2 in Part I of this Appendix.

(G.R., P. & S.D., 1586/34, dated 19th May 1948.)

[Correction No. 118, Financial Publication No. V, 3rd Edition  
(Reprint), Volume II, dated 20th January 1950.]

*Page 287, Appendix XLIV-B—*

*Substitute* the words “task workers whether superior of class IV, permanent or temporary” *for* the words “task workers whether superior, inferior, permanent or temporary” occurring in Rule 2 in Part II of this Appendix.

(G.R., P. & S.D., 1586/34, dated 19th May 1948.)

[Correction No. 119, Financial Publication No. V, 3rd Edition  
(Reprint), Volume II, dated 20th January 1950.]

9. Injury leave at half pay rates may be granted to a permanent salaried industrial employee who is injured in circumstances which would have given rise to a claim for compensation under the Workmen's Compensation Act, 1923 (VIII of 1923), if he had been a workman as defined therein, whether or not proviso (a) to sub-section (1) of section 3 of that Act is applicable. Such leave shall not be deemed to be leave on medical certificate for the purposes of rule 5. It shall be granted from the commencement of disablement for so long as is necessary, subject to a limit of two years for any one disability and a limit of five years during an employee's total service. The salary payable in respect of a period of leave granted under this rule shall, in the case of an employee to whom the provisions of the Workmen's Compensation Act, 1923 (VIII of 1923), apply, be reduced by the amount of compensation paid under clause D of sub-section (1) of section 4 of that Act.

10. "Earned leave" means leave earned in respect of periods spent on duty.

"Earned leave due" means the amount of earned leave calculated as prescribed in Rule 3 diminished by the amount of earned leave taken.

11. (1) An employee on earned leave is entitled—

(a) if in permanent employ, to leave salary equal to his average pay or to his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater,

(b) if not in permanent employ, to leave salary equal to his pay on the day before the leave commences.

(2) An employee on leave on medical certificate is entitled to leave salary equal to half his average pay or to half his average substantive pay for the 12 complete months preceding the month in which leave is taken, whichever is greater.

(3) An employee on extraordinary leave is not entitled to any leave salary.

*Explanation.*—For the purposes of this rule, average pay means the average monthly pay earned during the 36 complete months preceding the month in which the event occurs which necessitates the calculation of average pay, and substantive pay means the substantive pay of the permanent post which the employee holds substantively or on which he holds a lien or would have held a lien had the lien not been suspended.

12. In the case of a permanent industrial employee transferred from the salaried to the piece-work establishment credit shall be allowed for "earned leave" due at the date of transfer.

## PART II.

[See Note 2 at the commencement of Section VII, of Chap. XV,  
Volume I.]

### *Leave Rules for piece and task Workers in the Government Central Press.*

1. These rules may be called the Leave Rules for piece and task workers in the Government Central Press. They shall come into force with effect from the 1st April 1937. The grant of the annual bonus to the piece and task workers in the Government Central Press shall cease with effect from that date.

2. These rules shall apply to all the piece and task workers whether superior or inferior, permanent or temporary. *SK/- 119*

3. For the purposes of these rules "earned leave" means leave earned in respect of periods spent on *duty*. "Earned leave due" means the amount of earned leave calculated as prescribed in rule 4 diminished by the amount of earned leave taken.

4. Subject to the provisions of Rule 5 of these rules, earned leave will be admissible to a piece or task worker at the rate of 1/12th of the period spent on duty provided that when the earned leave due amounts to 90 days, the worker in question shall cease to earn any further leave. Half day leave will be treated as half day leave and will be counted against the amount of earned leave due.

*Note.*—Duty for half a day only should not be taken into account for purposes of calculating earned leave.

5. A task or piece worker who is not in permanent employ shall be required to render not less than twelve months' continuous service before he becomes eligible for any leave.

*Note.*—The period of 12 months should be counted in the first instance from 1st April 1937, i.e., from the date on which these rules come into force.

6. Piece or task workers will not be eligible for any kind of leave with pay except earned leave.

*Note.*—Female piece or task workers will, in addition to earned leave, be eligible for maternity leave in accordance with the provisions of Rule 803. The amount of leave salary should however be reduced by the amount of maternity benefit payable under section 5 of the Bombay Maternity Benefit Act, 1929.

7. Leave cannot be claimed as of right. Discretion is reserved to the authority empowered to grant leave, to refuse or revoke leave at any time according to the exigencies of the public service.

8. Discretion is reserved to the authority empowered to grant leave, to withhold leave to workers who are irregular in attendance without adequate reasons.

9. A piece or task worker on earned leave is entitled to monthly leave salary equal to his average monthly earnings during the twelve complete months of the preceeding financial year. In calculating average earnings for the purpose of this rule, the amount of over-time allowance, if any, shall be excluded.

10. (1) Extraordinary leave may be granted to any piece or task worker in special circumstances—

(a) when no earned leave is admissible, or

(b) when earned leave is admissible but the worker concerned applies in writing for the grant of extraordinary leave.

Half day leave will be treated as half day leave.

(2) Except in the case of a piece or task worker in permanent employ, the duration of extraordinary leave shall not exceed three months on any one occasion.

(3) The authority empowered to grant leave may commute retrospectively periods of absence without leave into extraordinary leave.

*Note.*—The principle enunciated in Note 2 below Rule 752, applies here also.

(4) A piece or task worker on extraordinary leave is not entitled to leave salary.

11. Half day leave, whether with or without pay, should be treated as full day's leave for purposes of increment and as half day leave for purposes of pension.

*Page 289, Appendix XLV—*

*Substitute* the words “ United Kingdom Treasury ” for the words “ Home Treasury ” occurring in the Heading of Bombay Civil Services Rule Form No 2 in this Appendix.

(G.M., 2736/33-C, dated 16th October 1948.)

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